



*Embassy of the United States of America*

# U.S. Supreme Court, Guardian of the Constitution



The Supreme Court building, completed in 1935, was designed on a scale in keeping with the importance and dignity of the judiciary as a branch of the U.S. government equal to the executive and legislative branches. © AP Images

In the U.S. system of democracy, enactment of a law requires approval by the legislative branch, Congress, and the executive branch (the president). The third branch of the U.S. federal government, the judicial branch, ensures that neither the Congress nor the president exceeds the authority bestowed by the Constitution.

The Supreme Court of the United States, which convenes in Washington just steps from the U.S. Capitol where the Congress meets, is the highest court of the judicial branch. It tends to be a quiet, dignified body — contemplative, deliberative and conscious of the responsibility vested in it as the ultimate arbiter of constitutionality.

The Supreme Court's session traditionally begins on the first Monday in October. Throughout the succeeding nine months, the justices will hear oral arguments, discuss and draft opinions, issue rulings and review petitions asking for action on decisions made by lower courts.

Decisions are handed down by the court throughout its term, but the largest group of decisions, also called opinions, usually is released near the end of the court's term in June. Each year, litigants in hundreds of cases petition the Supreme Court seeking a “writ of certiorari” — or agreement by the court to hear an appeal from a lower court's decision. Less than 1 percent of these cases are accepted for review. In an average

annual term, the court hears arguments in about 120 cases.

The Supreme Court is rarely a “court of first review” — it does not rule on issues of fact except in disputes that are between states or with another nations. The vast majority of its work involves appeals of lower court decisions, generally involving issues of federalism (the extent of federal government authority vs. state authority) and constitutionality (whether a lower court ruling is in accordance with the U.S. Constitution).

A Supreme Court decision is the highest level of judicial review and frequently the final step in the exercise of federal authority that begins in Congress, is carried

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out by the executive branch and is reviewed and interpreted by the judicial branch.

The court is also the venue for settling legal disputes between states, between states and the federal government and between the United States and another nation.

### THE JUSTICES

Nine justices sit on the Supreme Court. It might seem strange that in a government of the people, by the people and for the people, the guardianship of constitutional rights rests with nine individuals appointed for life, yet that model has served the United States effectively for more than two centuries.

Since the nation's founding, Supreme Court nominees have

undergone Senate confirmation. The nominations have been reviewed by the Senate Judiciary Committee since 1868, and nominees have been testifying before that committee as part of its deliberative process since 1925.

For most of the nation's history, Supreme Court justices were exclusively white males. In October 1981, Thurgood Marshall became the court's first African-American associate justice. In 1981, Sandra Day O'Connor became the first woman to sit on the Supreme Court's bench.

Justices who will hear cases on the court's 2014 docket include (back row) Sonia Sotomayor, Stephen Breyer, Samuel Alito, Elena Kagan; (front row) Clarence Thomas, Antonin Scalia, Chief Justice John

G. Roberts, Anthony Kennedy and Ruth Bader Ginsburg.

"Those of us who have the high privilege of serving on the Supreme Court know that the Court has earned the respect of its nation's citizens by adhering to the principles that motivated the United States' Declaration of Independence, that find expression in its Constitution, and that continue to unite the American people," Chief Justice Roberts has written. "I hope that those revolutionary principles, which are the foundation of the United States' enduring democracy, are a source of inspiration for nations throughout the world."



The justices of the Supreme Court. © Wikimedia Commons